

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>FRANK P. HOHN,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:05CV552</b>
<b>v.</b>	)	
	)	<b>ORDER OF RECUSAL</b>
<b>BNSF RAILWAY COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the record in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

**IT IS SO ORDERED.**

DATED this 2nd day of October, 2007.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge